

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>GERTRUDE WARD,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	
	:	<b>CIVIL ACTION 05-0226-WS-M</b>
<b>JO ANNE B. BARNHART,</b>	:	
<b>Commissioner of</b>	:	
<b>Social Security,</b>	:	
	:	
<b>Defendant.</b>	:	

**ORDER**

After due and proper consideration of all pleadings in this file, and a *de novo* determination of those portions of the Recommendation to which objection is made<sup>1</sup>, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is **ORDERED** that this the decision of the Commissioner be **REVERSED** and that this action be **REMANDED** for further administrative action not inconsistent with the orders of this Court.

**DONE** and **ORDERED** this 27<sup>th</sup> day of October, 2005.

s/WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Magistrate Judge's Recommendation that this action be remanded to the Commissioner for further administrative action turns in large measure on a finding that the ALJ did not satisfy the requirements of SSR 82-62 which requires that the ALJ make specific findings regarding the physical and mental demands of claimant's past work. This finding by the Magistrate Judge has not been directly addressed by Defendant in Defendant's Objection to the Magistrate Judge's Report and Recommendation.

